

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P. (S) No. 7148 of 2016**

Bhojnath Tiwari, S/o. Shri N.L. Tiwari, aged about 53 years, working as Head Master and posted at Primary School Sosanpal, Block Tokapal, resident of village and post Tokapal, District Jagdalpur (C.G.)

---- Petitioner**Versus**

1. State of Chhattisgarh Through the Secretary, Department of School Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)
2. Director, Public Instruction, Pension Bada, Raipur, District Raipur (C.G.)
3. Joint Director, Treasury, Account and Pension, Jagdalpur, District Jagdalpur (C.G.)
4. District Education Officer, Jagdalpur, District Jagdalpur (C.g.)
5. Block Education Officer, Tokapal, District Jagdalpur (C.G.)

---- Respondents

For Petitioner : Mr. Ajay Shrivastava, Advocate.
 For Respondent No.1/State: Mr. Prasun Bhaduri, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/01/2017**

(1) By this petition, the petitioner seeks a direction to the respondent authorities to grant him regular pay scale w.e.f. his initial date of appointment.

(2) At the very outset, learned counsel appearing for the State submits that the State Government, by order dated 09.07.2012, has constituted a Committee under the Chairmanship of the Commissioner,

Scheduled Caste and Scheduled Tribe Development Department, to look into the grievances of the employees with regard to grant of regular pay scale from his initial date of appointment. Thus the matter may be referred to the said Committee.

(3) The issue involved in the present case, in respect of regular pay scale, has already been considered and decided by this Court in Dashrath Prasad Kaiwartya Vs. State of Chhattisgarh and others {W.P. (s) No.2144/12, decided on 17.07.2012} wherein, this Court observed as under:-

“4. In view of the foregoing, nothing further is required to be done in this case. The petitioner may approach the aforestated Committee, if the relief sought for by the petitioner in this petition has not been granted. It is further directed that all the similarly situated teachers may first approach to the Committee, as aforestated, before approaching to this Court if their grievances still survives, they are at liberty to approach this Court. It is further clarified that the similarly situated teachers may make a representation to the Committee for redressal of their grievances in respect of grant of regular pay scale w.e.f. the initial date of appointment by post also”.

(4) In view of foregoing, the petitioner is directed to approach the Committee for appropriate relief and , in turn, the Committee is directed to consider and decide the case of the petitioner, in accordance with law and on its own merits. The needful may be done within a period of 12 weeks from the date of receipt of a copy of this order.

(5) Accordingly, the writ petition stands disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

